

CHAPTER NO. 562

HOUSE BILL NO. 2145

By Representatives McAfee, Pinion, Stulce, Boyer, Walker

Substituted for: Senate Bill No. 2163

By Senators Elsea, Burks

AN ACT to amend Tennessee Code Annotated, Title 10, Section 7, relative to executions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding a new subsection as follows:

() (1) Notwithstanding any other law to the contrary, those parts of the record identifying an individual as a person who has been or may in the future be directly involved in the process of executing a sentence of death shall be treated as confidential and shall not be open to public inspection. For the purposes of this section "person" includes, but is not limited to, an employee of the state who has training related to direct involvement in the process of executing a sentence of death, a contractor or employee of a contractor, or volunteer who has direct involvement in the process of executing a sentence of death. Records made confidential by this section include, but are not limited to, records related to remuneration to a person in connection with such person's participation in or preparation for the execution of a sentence of death. Such payments shall be made in accordance with a memorandum of understanding between the Commissioner of Correction and the Commissioner of Finance and Administration in a manner that will protect the public identity of the recipients. Provided, however, if a contractor is employed to participate in or prepare for the execution of a sentence of death, the amount of the special payment made to such contractor pursuant to the contract shall be reported by the Commissioner of Correction to the Comptroller of the Treasury and such amount shall be a public record.

(2) Information made confidential by this subsection shall be redacted wherever possible and nothing in this subsection shall be used to limit or deny access to otherwise public information because a file, a document, or data file contains confidential information.


SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: February 25, 2000


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 25th day of February 2000


DON SUNDQUIST, GOVERNOR